

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DE'ANDRE IVISON WESTON,
Plaintiff,
v.
DR. JOANNA,
Defendant.

Case No. 1:24-cv-00638-KES-HBK (PC)

ORDER REQUIRING DEFENDANT TO
SHOW CAUSE WITHIN THIRTY DAYS
WHY DEFAULT SHOULD NOT BE
ENTERED

(Doc. No. 20)

ORDER DIRECTING CLERK'S OFFICE TO
SERVE COURTESY COPY

THIRTY (30) DAY DEADLINE

Plaintiff De'Andre Ivison Weston ("Plaintiff") is pretrial detainee proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On November 7, 2024, the Court screened Plaintiff's Complaint (Doc. No. 1) and found that it stated a cognizable Fourteenth Amendment deliberate medical indifference claim against Defendant Dr. Joanna for failure to refer Plaintiff to an outside dental specialist but failed to state a claim on any other basis. (Doc. No. 14). Plaintiff agreed to proceed only on the claim deemed cognizable. (Doc. No. 15).

On December 3, 2024, the Court found service of the Complaint appropriate as to Defendant Dr. Joanna. (Doc. No. 17). On January 13, 2025, the Court ordered the United States Marshal to initiate service of process on Defendant. (Doc. No. 19).

1 On March 17, 2025, the United States Marshal filed USM-285 form indicating that on
2 March 15, 2025, service was accepted for Defendant by “Ms. Jemima Piascencia, Civil
3 Litigation, Sheriff’s Support Specialist,” at the Kern County Sheriff’s Office. (Doc. No. 20). The
4 deadline for the filing of Defendant’s answer to the complaint was therefore April 7, 2025. Fed.
5 R. Civ. P. 12(a)(1)(A)(i). Defendant has not filed an answer or otherwise responded to the
6 Complaint.

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. Within **thirty (30) days** from the date of service of this order, Defendant shall show cause
9 why default should not be entered against her;
- 10 2. To facilitate the ability to comply with this order, Defendant’s obligation to respond to the
11 complaint is extended **thirty (30) days** from the date of service of this order; and
- 12 3. The Clerk’s Office shall mail a courtesy copy of this order on Defendant Dr. Joanna,
13 Dentist, Ledro Facility Jail, 17695 Industrial Farm Road. Bakersfield, CA 93308 and to
14 the Kern County Sheriff, Civil Section, 34970 McMurtrey Avenue, Bakersfield, CA
15 93308.

16
17 Dated: June 4, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE